

## DECLARATION AND POWER OF ATTORNEY IN PATENT APPLICATION

Attorney Docket No.: 1702-1-3

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

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# MUSIC SEARCHING METHODS BASED ON HUMAN PERCEPTION

the specification of which

 is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.

Application No.

Filing Date

60/153.768

September 14, 1999

I hereby appoint the attorneys associated with Customer No. 000996 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Address all correspondence and phone calls to:

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I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Maxwell J. Wells UK  
Full Name of Inventor Citizenship

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Residence

M. Wells 4/18/00  
Inventor's Signature Date

David Waller USA  
Full Name of Inventor Citizenship

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Residence

\_\_\_\_\_  
Inventor's Signature Date

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Full Name of Inventor Citizenship

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Residence

Navdeep S. Dhillon 4/4/2000  
Inventor's Signature Date

[illegible]

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

☐ Applicant(s) or ☐ Patentee(s): Maxwell J. Wells, David Waller, and Navdeep S. Dhillon

☐ Application or ☐ Patent No.: \_\_\_\_\_ Docket No.: 1702-1-3

Title: MUSIC SEARCHING METHODS BASED ON HUMAN PERCEPTION

I hereby declare that I am

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CantaMetrix, Inc.

ADDRESS OF CONCERN 110 110<sup>th</sup> Avenue NE Suite 690

Bellevue, Washington 98004

I hereby declare that the above-identified small business qualifies as a small business concern as defined in 13 CFR §121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party of parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in

☒ the specification filed herewith with the title as listed above.

If the rights held by the above-identified small business concern are not exclusive, each

which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Maxwell J. Wells

TITLE CHIEF TECHNOLOGY OFFICER, CHAIRMAN

SIGNATURE M. Wells DATE 3/27/00